

Review requested by 2:30: Draft response to Kalispel Sarah Furtak to: James Curtin, Felicia Wright

Sarah Furtak to: James Curtin, Felicia Wright Cc: Michael Haire, Ruth Chemerys

07/05/2012 11:33 AM

deliberative draft

Dear Jim & Felicia,

Attached below, please find a draft, deliberative response to Kalispel Tribe's email/request of June 29.

I will plan to share this with my Acting Branch Chief this afternoon, and then share it with Region 10 for a very quick review this afternoon prior to responding to Kalispel Tribe.

Your input by 2:30 pm Eastern would be most helpful in track changes format.

Thanks,

Sarah 202 566 1167





jul_5_2012_draft_response_to_kalispel.docx_jul_5_2012_mark_up_kalispel_agenda_draft.docx



Review COB today: Response to Kalispel Tribe

Sarah Furtak to: David Croxton, Don Martin

Cc: Helen Rueda, Kim Owens, James Curtin, Ruth Chemerys Bcc: Ben Cope, Michael Haire, Felicia Wright, Tod Siegal

Hi Dave and Don (FYI Ben, Mike, Felicia, Tod),

As promised during our meeting Tues., Jul. 3, attached please find a draft response from me to the Kalispel Tribe. Thanks to my HQ counterparts, including OGC Jim Curtin and Tod Siegal, for helping develop this response.

I will plan to send this response forward to Deane Osterman first thing tomorrow (and then I will be on annual leave tomorrow, returning to the office on Tuesday, July 10). Please let me know if you see any showstoppers by COB today (please use "track changes"). It is important that I respond to Deane in a timely manner given the visit's fast approaching and Deane's note about the expense of this trip.

I will set up a meeting next week with the same group as our Tues. (Jul. 3) call to cover technical discussion (assuming we will go ahead with a technical meeting during the Jul. 24 visit). Unfortunately, we did not have adequate time to cover this technical discussion on Tues., Jul. 3. I will also plan to set up a meeting (or we may cover it on Jul. 19) per Eric's request, to discuss the "choreography" of Jul. 24, based upon your experience in meeting with Kalispel Tribe in the past. We envision this will be a meeting for you, Felicia, Jim, Eric, Ruth, and myself.

If you have any questions, please let me know. Again, I will be in the office for the next hour or so, and then return Jul. 10.

Thanks, Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167



jul_5_2012_markup_for_r10.docx

07/05/2012 05:04 PM



Review COB today: Response to Kalispel Tribe

Sarah Furtak to: David Croxton, Don Martin

Cc: Helen Rueda, Kim Owens, James Curtin, Ruth Chemerys Bcc: Ben Cope, Felicia Wright, Tod Siegal, Michael Haire

deliberative draft

David, Don (FYI Ben, Mike, Felicia, Tod),

Also please see the revised agenda, which I also plan to send to Deane. I had meant to attach this below as well.

Sarah



jul_5_2012_mark_up_kalispel_agenda_draft.jc.docx

---- Forwarded by Sarah Furtak/DC/USEPA/US on 07/05/2012 05:11 PM -----

From: Sarah Furtak/DC/USEPA/US

To: David Croxton/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA
Cc: Helen Rueda/R10/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, James

Curtin/DC/USEPA/US@EPA, Ruth Chemerys/DC/USEPA/US@EPA

Date: 07/05/2012 05:04 PM

Subject: Review COB today: Response to Kalispel Tribe

Hi Dave and Don (FYI Ben, Mike, Felicia, Tod),

As promised during our meeting Tues., Jul. 3, attached please find a draft response from me to the Kalispel Tribe. Thanks to my HQ counterparts, including OGC Jim Curtin and Tod Siegal, for helping develop this response.

I will plan to send this response forward to Deane Osterman first thing tomorrow (and then I will be on annual leave tomorrow, returning to the office on Tuesday, July 10). Please let me know if you see any showstoppers by COB today (please use "track changes"). It is important that I respond to Deane in a timely manner given the visit's fast approaching and Deane's note about the expense of this trip.

I will set up a meeting next week with the same group as our Tues. (Jul. 3) call to cover technical discussion (assuming we will go ahead with a technical meeting during the Jul. 24 visit). Unfortunately, we did not have adequate time to cover this technical discussion on Tues., Jul. 3. I will also plan to set up a meeting (or we may cover it on Jul. 19) per Eric's request, to discuss the "choreography" of Jul. 24, based upon your experience in meeting with Kalispel Tribe in the past. We envision this will be a meeting for you, Felicia, Jim, Eric, Ruth, and myself.

If you have any questions, please let me know. Again, I will be in the office for the next hour or so, and then return Jul. 10.

Thanks, Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division 07/05/2012 05:15 PM

Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167



jul_5_2012_markup_for_r10.docx



Final prep for tribe visit

Fri 07/20/2012 3:00 PM - 4:00

PM

Location:

Kenai is reserved; call-in

Rooms: 6300D-Kenai/DC-CCW-OW-WEST@EP

A

Required:

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Eric Monschein/DC/USEPA/US@EPA, Helen

Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA,

Optional:

Felicia Wright/DC/USEPA/US@EPA, Tod Siegal/DC/USEPA/US@EPA

Description

deliberative

Kenai (EPA West 6300D) is reserved; call-in 1866 299 3188 (code 202 566 1167)

Objective: (Only as-needed) Complete final prep for tribe visit next week

Draft agenda:

- 1. Objective/purpose, logistics for Jul 24 (Sarah/Ruth, All, ~10 min)
 - documentation
 - video conference/phone
- 2. Critical background (PPT, letter, below) (All, 40 min)





Pend Oreille River Temperature TMDL Meeting 11 30 11 Final.pptx Kalispel Tribe's TMDL Concerns 3_13_12.pdf

- Tribe's Assumptions discussion
- Technical/legal questions (attached below from July 3 agenda)
- 3. Next steps, other (All, 10 min)
 - Choreography mtg. Jul 23
 - Tribe will provide presentation file by Jul 20



jun_27_2012_legal_tech_questions.docx

Questions for this call include the following:







FYI: Background on July 24 Kalispel Tribe visit Sarah Furtak to: Tod Siegal

07/11/2012 03:28 PM

Deliberative

Hi Tod,

Per our brief discussion just now about the Kalispel Tribe visit planned for July 24, attached are background documents that may help you understand the tribe's perspective.

We are approaching the visit on July 24 as a meeting in which HQ is listening as the Kalispel Tribe presents its concerns about the Pend Oreille draft TMDL for temperature. The EPA informal technical review team may ask clarifying questions and we expect that, shortly after our meeting on the 24th, we will follow up with the Region regarding our collective thoughts as the Region makes its final decision. We see our role as providing input to the Region, as EPA HQ and Region 10 work together in close coordination.

Attached is the March 13, 2012 letter from the tribe to EPA Region 10 and a timeline Region 10 provided for context.





History Time Line for Pend Oreille River Temperature TMDL.docx Kalispel Tribe's TMDL Concerns 3_13_12.pdf

- The link to the TMDL (not yet approved by EPA) is https://fortress.wa.gov/ecy/publications/summarypages/1010065.html
- We have also put together an internal, draft issue paper with background and the types of questions for the HQ review team to discuss. Note these are technical questions about water quality standards and statistical methodology that the Region would like HQ's assistance with.



jun_27_2012_legal_tech_questions.docx

Below is some info I put together about documenting the visit per Felicia's insight on documenting such events.

If you have any questions, please let me know.

I'll keep you in the loop with courtesy copies on our prep meetings ahead of July 24.

Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167

Recommendations from OW Tribal Coordinator: How to Document the Visit of the Kalispel Tribe

We don't have a template, per se, for this type of meeting, because we have simply tailored a written response to the situation, to stay flexible. It will depend on the level of tribal leadership involved.

We will take notes and work with Region to summarize concerns. The documentation can take the form of an email back to tribe and cc to Region. The Region can then wrap this transmittal into its consultation summary.

We should aim to capture the tribe's concerns, possibly give a sense of our response to them, and note that this visit is seen as part of tribe's working with the Region (e.g., thank you, we have heard your concerns, now we are working with Region to...)

We will want to be sure to indicate that our meeting is part of EPA's consultation and coordination process in any summary from this meeting.

These are the important pieces of info for us to capture in a written response:

- Date of tribal consultation
- Briefly characterize the request and topic of discussion
- Who conducted the consultation (including Regional reps) and who from the tribe participated
- What information was provided to the tribe
- Summary of the nature of the tribal concerns (or their request as we understand it)
- Summary of EPA's response or planned next steps
- Any timing issues/comment deadlines that may be applicable, so there is a clear response time frame.



FYI: Documentation of Jul 24 tribe visit

Sarah Furtak to: Ben Cope, David Croxton, Don Martin, Helen Rueda, Kim Owens

Cc: Ruth Chemerys

07/11/2012 03:35 PM

Deliberative

Good afternoon Region 10 folks,

This email provides a heads up as to the level of documentation that we will need to develop for the July 24 visit from the Kalispel Tribe. I have shared this info with the HQ informal technical review folks.

We understand there is a certain level of documentation needed for this visit, as it is an informal technical review as part of the formal consultation process. As you know, we have indicated to the tribe that (1) we have assembled an informal HQ review team consisting of five folks: a staff in the Office of Wetlands, Oceans and Watersheds, a fellow working on listing and TMDL issues in the same office, two staff in the Office of Science and Technology, and an attorney from the Office of General Counsel. (2) Because we understood this to be an informal technical review as part of the consultation process, there was no formal process for selecting these individuals.)

Below I have briefly summarized how this documentation should look based upon discussion with Felicia Wright (OW Tribal Coordinator). If you would like more detail on the necessary documentation, or have any questions, please let me know.

Recommendations from OW Tribal Coordinator: How to Document the Visit of the Kalispel Tribe

We don't have a template, per se, for this type of meeting, because we have simply tailored a written response to the situation, to stay flexible. It will depend on the level of tribal leadership involved.

We will take notes and work with Region to summarize concerns. The documentation can take the form of an email back to tribe and cc to Region. The Region can then wrap this transmittal into its consultation summary.

We should aim to capture the tribe's concerns, possibly give a sense of our response to them, and note that this visit is seen as part of tribe's working with the Region (e.g., thank you, we have heard your concerns, now we are working with Region to...)

We will want to be sure to indicate that our meeting is part of EPA's consultation and coordination process in any summary from this meeting.

These are the important pieces of info for us to capture in a written response:

- Date of tribal consultation
- Briefly characterize the request and topic of discussion

- Who conducted the consultation (including Regional reps) and who from the tribe participated
- What information was provided to the tribe
- Summary of the nature of the tribal concerns (or their request as we understand it)
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- Any timing issues/comment deadlines that may be applicable, so there is a clear response time frame.

Sarah Furtak

U.S. Environmental Protection Agency
Office of Wetlands, Oceans, and Watersheds
Assessment and Watershed Protection Division
Watershed Branch
EPA West Building, Room 7330-A
1301 Constitution Avenue, NW
Washington, DC 20004

Phone: (202) 566-1167



Prep for visit: continuation of July 3 mtg

Thu 07/12/2012 1:00 PM - 2:00

PM

Location:

Tillamook room is reserved (7201 EPA West); call-in

Rooms: 7201-Tillamook/DC-CCW-OWOW@EP

Don Martin/R10/USEPA/US@EPA, Eric Monschein/DC/USEPA/US@EPA, Helen

Required:

Optional:

Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA,

Lester Yuan/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Ruth Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Kim

Owens/R10/USEPA/US@EPA, Tod Siegal/DC/USEPA/US@EPA

FYI:

Description

deliberative

Tillamook room is reserved; call-in

Objective: Prep for tribe visit week of Jul 23

Draft Agenda:

- 1. Objective/purpose, logistics for Jul 24 (Sarah/Ruth, All, ~10 min)
- 2. Technical/legal questions and discussion (attached and below) (All, 45 min)
- 3. Next steps, other (All, 5 min)



jun_27_2012_legal_tech_questions.docx

Questions for this call include the following:



Attached is a first cut at a list of the Kalispel Tribe's issues pulled from 3 background documents provided by Region 10:



FYI: July 24 draft agenda

Ben Cope, David Croxton, Don Martin, Eric Sarah Furtak to: Monschein, Helen Rueda, James Curtin, Julie Reichert, Kim Owens, Lester Yuan, Michael

07/12/2012 11:55 AM

draft deliberative

FYI, Attached is EPA's markup of the Kalispel Tribe's draft agenda (received on June 29) for the visit July 24. My additions were made in blue. We provided this markup to the Kalispel Tribe last week.

Apologies for the duplicate distribution-- some of you have already seen this via my transmittal to the Kalispel Tribe.



jul_5_2012_mark_up_kalispel_agenda_draft.docx

Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004

Phone: (202) 566-1167



Pend Oreille FOIA Response meeting Call in Number

Mon 07/16/2012 1:00 PM - 2:00 PM

Attendance is required for Sarah Furtak Chair: Helen Rueda/R10/USEPA/US

No Location Information

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Required:

Martin/R10/USEPA/US@EPA, Dwight Atkinson/DC/USEPA/US@EPA, Eric

Monschein/DC/USEPA/US@EPA, Felicia Wright/DC/USEPA/US@EPA, James

This entry was created in a different time zone. The time in that time zone is: Mon 07/16/2012 10:00 AM Time zones:

PDT - 11:00 AM PDT

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Personal Notes



Declined: Kalispel Tribe Ariel Rios north Tue 07/24/2012 12:00 PM - 1:15

PM

Attendance is required for Sarah Furtak

Christopher Zabawa/DC/USEPA/US

No Location Information

You have declined this meeting.					
Required:	Jessica Werber/DC/USEPA/US@EPA, Sarah Furtak/DC/USEPA/US@EPA				
Description					
a .					
	lope you're enjoying your time away (or enjoyed your time away when you read this)! Hollow a highly recommended place to visit, according to my father!				
Can you be	available to help me Tuesday, say, between 12:30 and 1:15?				
up/working	el Tribe representatives will be arriving for a 1:00 pm meeting, and as I will be busy setting with videoconference, I'd like to provide your phone so that you may escort them in. The I be in Ariel Rios North 2530 .				
Chris, is the	ere a chance you might be willing to back me up on this in case Jessica is out of the office?				
Please let n	ne know.				
Thanks!					
Sarah x1167					

To: Christopher Zabawa/DC/USEPA/US@EPA

cc:

Subject: Invitation: Kalispel Tribe Ariel Rios north (Jul 24 12:00 PM EDT)

Comments

Chris--

Jessica is out of the office the day of the visit. Would you be available? May I provide your phone to the tribe contact (I will also provide my phone, but I will likely be setting up in Ariel Rios North)? If you think you may be unavailable, just let me know. We are expecting 3 representatives of the tribe. I will keep you posted.



Rescheduled: Kalispel Tribe Ariel Rios north Tue 07/24/2012 12:00 PM - 1:15

PM

Attendance is required for Sarah Furtak

Christopher Zabawa/DC/USEPA/US

No Location Information

Christopher 2	Zabawa has rescheduled this meeting. You have not yet responded.
Required:	Jessica Werber/DC/USEPA/US@EPA, Sarah Furtak/DC/USEPA/US@EPA
Description	
	ope you're enjoying your time away (or enjoyed your time away when you read this)! Hollow a highly recommended place to visit, according to my father!
Can you be	available to help me Tuesday, say, between 12:30 and 1:15?
up/working	I Tribe representatives will be arriving for a 1:00 pm meeting, and as I will be busy setting with videoconference, I'd like to provide your phone so that you may escort them in. The be in Ariel Rios North 2530 .
Chris, is the	re a chance you might be willing to back me up on this in case Jessica is out of the office?
Please let m	ne know.
Thanks!	
Sarah x1167	



Agenda & materials for today's "final prep for tribe" mtg

Ben Cope, David Croxton, Don Martin, Eric Sarah Furtak to: Monschein, Helen Rueda, James Curtin, Julie

Reichert, Kim Owens, Lester Yuan, Michael

Cc: Felicia Wright, Tod Siegal

07/20/2012 09:25 AM

deliberative

Final Prep for Tribe Visit Friday, July 20 3-4 pm Eastern

Kenai (EPA West 6300D) is reserved; call-in

Objective: Complete final prep for tribe visit next week

Draft agenda:

- 1. Objective/purpose, logistics for Jul 24 (Sarah/Ruth, All, ~10 min) (see Jul 24 agenda markup attached at bottom of msg)
 - documentation
 - video conference/phone
- 2. Critical background (PPT, letter, below, from our July 3 call) (All, 40 min)





Pend Oreille River Temperature TMDL Meeting 11 30 11 Final.pptx Kalispel Tribe's TMDL Concerns 3_13_12.pdf

- Tribe's Assumptions discussion
- Technical/legal questions (attached below from our July 3 call)
- 4. Next steps, how HQ informal review team will provide input to Region (see timeline, attached) (All, 10 min)
 - Choreography mtg. Jul 23
 - Tribe will provide presentation file by Jul 20

Additional Attachments and background

Legal/technical questions from our Jul 3 call



jun_27_2012_legal_tech_questions.docx

Questions for this call include the following:

•



Most recent email from Tribe



Re: Kalispel/EPA July 24th Meeting

Deane Osterman . So

Sarah Furtak

07/18/2012 10:51 AM

Hi Sarah:

I did receive your follow-up email. I was disappointed to learn that EPA envisions our meeting as a tribal presentation rather than an interactive discussion, and that EPA is not willing to agree to the basic assumptions we proposed. We will need a few extra days to modify our slide presentation to conform to EPA's conceptualization of our meeting, and will distribute our presentation by the end of this week. We plan to reallocate the 1.25 hours that we originally set aside for discussion of the questions presented to the Tribe's slide presentation. Thus, the agenda now has 3 components: (1) introductions, (2) Kalispel Tribe PowerPoint presentation, and (3) next steps. We look forward to meeting with you next week.

Regards,

Deane

EPA markup of Jul 24 agenda per Deane's comments above



jul_19_2012_mark_up_kalispel_agenda_draft.docx

EPA draft internal time line



jul 20 draft schedule for visit prep.docx

To: Christopher Zabawa/DC/USEPA/US@EPA

cc: bcc:

Subject: Rescheduled: Kalispel Tribe Ariel Rios north (Jul 24 12:00 PM EDT)

Comments Chris,

Are you willing to accept? Jessica is out of the office on this visit day. Can you please remove Jessica from the invitation (or cc her)? Thank you, -- Sarah



Visit from tribe

Tue 07/24/2012 1:00 PM - 3:00 PM

Ariel Rios North 2530 -call-in number 1

with videoconference/teleconference capability-- is reserved)

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Required:

Martin/R10/USEPA/US@EPA, Eric Monschein/DC/USEPA/US@EPA, Felicia Wright/DC/USEPA/US@EPA,

Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie

Description

telephone call-in number

Ariel Rios North 2530 -- with

videoconference/teleconference capability-- is reserved)

Visit of the Kalispel tribe to HQ to discuss the Pend Oreille temperature TMDL.

Kim Owens is working with Sarah to coordinate the videoconference connection for Region 10 Seattle. The telephone call-in number above is also provided for Don Martin (R10 field office) and phone participants on behalf of the tribe: Joel Massman (Keta Waters environmental engineering company) and Ken Merrill (Water Resources Manager, Kalispel Tribe Natural Resources Department).

To: Christopher Zabawa/DC/USEPA/US@EPA

cc: bcc:

Subject: Kalispel Tribe Ariel Rios north

Comments

Chris,

Following up on this...thanks for offering to help. Eric asked that I request the OW Tribal Coordinator help with the escort, and Felicia accepted, so I no longer need your assistance.



Request: Meet and Escort Kalispel Tribe Representatives to ARN 2530

Tue 07/24/2012 12:30 PM - 1:00 PM

No Location Information

Required:

Felicia Wright/DC/USEPA/US@EPA

Description

Felicia,

Thank you for agreeing to meet and escort the tribe representatives. I will provide Deane Osterman your Blackberry number first (and desk number). I will keep you posted on location to meet the tribe reps, but let's assume it's at the Ariel Rios North entrance, beside the Metro escalator.



As yet, no presentation rec'd yet from Kalispel Tribe Sarah Furtak to: Ruth Chemerys, Michael Haire

07/23/2012 09:38 AM

We still have the 1:00 meeting on our calendars as a placeholder ("Choreography..."). We can proceed with holding this time in case a PPT is received between now and then, or we can cancel the 1:00 meeting in advance (e.g., around noon). Which is your preference?

Sarah



Choreography for July 24

Mon 07/23/2012 1:00 PM - 1:45

PM

Location:

Kenai (6300D EPA West) is reserved. (Call in

Rooms:

6300D-Kenai/DC-CCW-OW-WEST@EP

Α

Required:

Optional:

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Eric Monschein/DC/USEPA/US@EPA, Helen

Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA,

Felicia Wright/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Tod

Siegal/DC/USEPA/US@EPA

Description

Kenai (6300D EPA West) is reserved.

Call in

The objective of this meeting is to discuss, as needed, the tribe's presentation received this morning, July 23 (attached). We need not use the whole time if folks prefer.

1

RE: Kalispel/EPA meeting July 24

Deane Osterman to: Sarah Furtak

07/23/2012 10:32 AM

2 attachments





POR Temperature TMDL Presentation to EPA HQ 7 24 12.pptx Keta_Waters_July_21_12.pdf

Sarah,

Please find attached the presentation and the Keta Waters report. Thanks for the logistical help and see you tomorrow, By the way, in addition to those already mentioned we will have our Vice Chairman, Ray Pierre with us as well and Ken Merrill and Joel Massman attending by conference.

Regards,

Deane

From: Sarah Furtak [mailto:Furtak.Sarah@epamail.epa.gov]

Sent: Friday, July 20, 2012 2:21 PM

To: Deane Osterman

Cc: David Croxton; Don Martin

Subject: Kalispel/EPA meeting July 24

Dear Deane,

Thank you for providing the update on the Kalispel Tribe visit. We are looking forward to the Kalispel Tribe visit next week, hearing the tribe's concerns, and having a better understanding the tribe's perspective on the Pend Oreille temperature TMDL and the Kalispel Tribe's proposed basic assumptions so that we can provide legal, technical, and policy input to the Region as it reviews the Washington State TMDL.

Based upon your comments on the allotment of time, I have updated the draft agenda (attached). Also, we are now planning to have Region 10 participation via videoconference. (See attached file: jul 20 2012 mark up kalispel agenda draft.docx)

Felicia Wright, Office of Water Tribal Coordinator, plans to meet you, Rick, and Zach at the entrance to Ariel Rios North to escort you from the security checkpoint to room 2530. Please allow about 10 minutes to get through the security checkpoint and to room 2530 once you arrive at the Ariel Rios North Building. Attached is a Google map of the Ariel Rios Building, and the arrow points to the entrance at which Felicia plans to meet you. Felicia's Blackberry number is (202) 281 6335; please don't hesitate to contact Felicia if there is any confusion about which entrance is the Ariel Rios North entrance upon your arrival.

(See attached file: jul_20_2012_map_for_d_osterman.docx)
Please contact me with questions about the Kalispel Tribe visit.

Sincerely, Sarah

Sarah Furtak



Kalispel Tribe presentation, background for July 24 visit

Ben Cope, David Croxton, Don Martin, Eric
Sarah Furtak
to: Monschein, Helen Rueda, James Curtin, Julie
Reichert, Kim Owens, Lester Yuan, Michael

07/23/2012 11:17 AM

I've attached these materials -- presentation and report -- to today's 1-1:45 pm Eastern meeting invite as well. We can use the meeting time as needed, perhaps not taking the whole meeting time.

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167

----- Forwarded by Sarah Furtak/DC/USEPA/US on 07/23/2012 10:59 AM -----

From: Deane Osterman <dosterman@kalispeltribe.com>

To: Sarah Furtak/DC/USEPA/US@EPA

Date: 07/23/2012 10:32 AM

Subject: RE: Kalispel/EPA meeting July 24

Sarah,

Please find attached the presentation and the Keta Waters report. Thanks for the logistical help and see you tomorrow, By the way, in addition to those already mentioned we will have our Vice Chairman, Ray Pierre with us as well and Ken Merrill and Joel Massman attending by conference.

Regards,

Deane

From: Sarah Furtak [mailto:Furtak.Sarah@epamail.epa.gov]

Sent: Friday, July 20, 2012 2:21 PM

To: Deane Osterman

Cc: David Croxton; Don Martin

Subject: Kalispel/EPA meeting July 24

Dear Deane.

Thank you for providing the update on the Kalispel Tribe visit. We are looking forward to the Kalispel Tribe visit next week, hearing the tribe's concerns, and having a better understanding the tribe's perspective on the Pend Oreille temperature TMDL and the Kalispel Tribe's proposed basic assumptions

so that we can provide legal, technical, and policy input to the Region as it reviews the Washington State TMDL.

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(See attached file: jul_20_2012_map_for_d_osterman.docx) Please contact me with questions about the Kalispel Tribe visit.

Sincerely, Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167

---- Forwarded by Sarah Furtak/DC/USEPA/US on 07/19/2012 04:23 PM -----

From: Deane Osterman <dosterman@kalispeltribe.com>

To: Sarah Furtak/DC/USEPA/US@EPA

Date: 07/18/2012 10:51 AM

Subject: Re: Kalispel/EPA July 24th Meeting

Hi Sarah:

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Best.

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Phone: (202) 566-1167POR Temperature TMDL Presentation to EPA HQ 7 24 12.pptx



Keta_Waters_July_21_12.pdf



Re: Kalispel Tribe presentation, background for July 24 visit



Sarah Furtak to: Felicia Wright

07/23/2012 11:37 AM

Dear Felicia.

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Felicia Wright Thanks Sarah, 07/23/2012 11:31:37 AM

Felicia Wright/DC/USEPA/US From: Sarah Furtak/DC/USEPA/US@EPA To:

07/23/2012 11:31 AM Date:

Re: Kalispel Tribe presentation, background for July 24 visit Subject:

Thanks Sarah,

I will review and be ready for tomorrow. I extended my stay and will be coming back into town tonight- Monday, and so will miss this afternoon's meeting.

Felicia

Felicia Wright, Tribal Coordinator

EPA Office of Water (OW)

Phone: 202-566-1886

1200 Pennsylvania Avenue, NW Mailcode 4101M Washington, DC 20460

----Sarah Furtak/DC/USEPA/US@EPA wrote: ----

To: Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Eric Monschein/DC/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Lester Yuan/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Ruth Chemerys/DC/USEPA/US@EPA, Steve Whitlock/DC/USEPA/US@EPA, Felicia Wright/DC/USEPA/US@EPA, Tod Siegal/DC/USEPA/US@EPA

From: Sarah Furtak/DC/USEPA/US@EPA

Date: 07/23/2012 10:17AM

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---- Forwarded by Sarah Furtak/DC/USEPA/US on 07/23/2012 10:59 AM ----

From: Deane Osterman <dosterman@kalispeltribe.com>

To: Sarah Furtak/DC/USEPA/US@EPA

Date: 07/23/2012 10:32 AM

Subject: RE: Kalispel/EPA meeting July 24

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Regards,

Deane

From: Sarah Furtak [mailto:Furtak.Sarah@epamail.epa.gov]

Sent: Friday, July 20, 2012 2:21 PM

To: Deane Osterman

Cc: David Croxton; Don Martin

Subject: Kalispel/EPA meeting July 24

Dear Deane,

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(See attached file: jul_20_2012_mark_up_kalispel_agenda_draft.docx)

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(See attached file: jul_20_2012_map_for_d_osterman.docx)
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[attachment(s) POR Temperature TMDL Presentation to EPA HQ 7 24
12.pptx,Keta_Waters_July_21_12.pdf removed by Felicia Wright/DC/USEPA/US]



FYI: Kalispel Tribe presentation, background for July 24 visit

Sarah Furtak to: Felicia Wright

07/23/2012 11:42 AM

I now see that Ken Merrill is Water Resource Managers for the Kalispel Tribe Natural Resources Department, and Joel Massmann (PhD, PE) represents Keta Waters, and environmental engineering company.

Sarah

----- Forwarded by Sarah Furtak/DC/USEPA/US on 07/23/2012 11:40 AM -----

Sarah Furtak/DC/USEPA/US To: Felicia Wright/DC/USEPA/US@EPA

Date: 07/23/2012 11:37 AM

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[attachment(s) POR Temperature TMDL Presentations of the component of t

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RE: Kalispel/EPA meeting July 24



Sarah Furtak to: Deane Osterman Cc: David Croxton, Don Martin

Bcc: Ruth Chemerys, Eric Monschein

Good Morning Deane,

Thank you for sharing the presentation materials. Please share the following conference line information for the meeting tomorrow (from 1-3 pm Eastern) with Ken Merrill and Joel Massman:



Safe travels, and please let me know if you have any further questions about the visit.

Sarah

Sarah Furtak

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Phone: (202) 566-1167

Deane Osterman Sarah, Please find attached the presentation an... 07/23/2012 10:32:57 AM

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To: Sarah Furtak/DC/USEPA/US@EPA

Date: 07/23/2012 10:32 AM

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Sent: Friday, July 20, 2012 2:21 PM

To: Deane Osterman

Cc: David Croxton: Don Martin

Subject: Kalispel/EPA meeting July 24

07/23/2012 11:49 AM

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Phone: (202) 566-1167[attachment "POR Temperature TMDL Presentation to EPA HQ 7 24 12.pptx" deleted by Sarah Furtak/DC/USEPA/US] [attachment "Keta_Waters_July_21_12.pdf" deleted by Sarah Furtak/DC/USEPA/US]



Path forward following Tribe's visit

Thu 07/26/2012 10:30 AM - 11:00 AM

Location: Eric's

Required:

Eric Monschein/DC/USEPA/US@EPA, Ruth Chemerys/DC/USEPA/US@EPA

Description

Draft documentation writeup attached, FYI



jul_24_2012_draft_documentation.docx



Request: availability next week

David Croxton, Helen Rueda, Kim Owens, Ben Cope, Don Martin

Bcc: Ruth Chemerys, Eric Monschein

07/25/2012 03:00 PM

All--

Thank you from the Kalispel Tribe for your participation in the visit yesterday (see below)! Scoping out potential call times to follow up with the Region and HQ on a path forward, please let me know when you are available at the times below. Your response by 3 pm Eastern tomorrow would be most helpful.

Tues., Jul 31 -- 2-3 pm Eastern 3-4 pm Eastern

Wed., Aug 1 -- 1-2 pm Eastern 2-2:45 pm Eastern

Sarah Furtak

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Phone: (202) 566-1167

---- Forwarded by Sarah Furtak/DC/USEPA/US on 07/25/2012 02:49 PM -----

From: Deane Osterman < dosterman@kalispeltribe.com>

Sarah Furtak/DC/USEPA/US@EPA To:

Date: 07/25/2012 01:08 PM

Subject: Re: Kalispel/EPA meeting July 24

Sarah.

Thanks for all you did in making arrangements for yesterday's meeting. I thought it went quite well and we look forward to EPA HQ providing leadership to Region 10 on the Pend Oreille Temp TMDL situation.

Please Pass on my compliments to the others who attended.

Thanks again.

Deane



Next Steps post Kalispel Tribe visit

Mon 07/30/2012 9:00 AM - 9:30

AM

Location:

Everglades is reserved Rooms: 7343-Everglades/DC-CCW-OWOW@EPA



Michael Haire/DC/USEPA/US@EPA, Ruth Chemerys/DC/USEPA/US@EPA Required:

Optional: James Curtin/DC/USEPA/US@EPA

Description

draft deliberative

Open to recommendations:

- time frame
- HQ review team



Accepted: Next Steps post Kalispel Tribe Mon 07/30/2012 9:00 AM - 9:30

Rooms:

7343-Everglades/DC-CCW-OWOW@EPA

7343-Everglades/DC-CCW-OWOW has been reserved



Accepted: Next Steps post Kalispel Tribe

Mon 07/30/2012 9:00 AM - 9:30

AM

Location: Everglades is reserved Rooms: 7343-Everglades/DC-CCW-OWOW@EPA

call in

James Curtin has accepted this meeting invitation

Required: Michael Haire/DC/USEPA/US@EPA, Ruth Chemerys/DC/USEPA/US@EPA

Optional: James Curtin/DC/USEPA/US@EPA



HQ-EPA Region 10 follow-up after Kalispel Tribe visit

Tue 07/31/2012 2:00 PM - 3:00 PM

Location:

Everglades is reserved (call in Rooms: 7343-Everglades/DC-CCW-OWOW@EPA



Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA,

Julie Reichert/DC/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Lester

Description

Draft deliberative

Everglades is reserved.



Objective: Map out path forward

Suggested agenda items:

1. Region's feedback discussion Overall feedback (~20 min) CFA (Ben ~15 min.)

- 2. HQ WQS participation (Mike, Sarah ~10 min.)
- 3. Process discussion/time frame (All, ~10 min.)
- 4. Next steps, other (All, ~5 min.)



HQ informal review team meeting -- following Kalispel Tribe visit

Tue 08/07/2012 11:00 AM - 12:00

PM

Location:

Tillamook -- EPA West 7201 Rooms: 7201-Tillamook/DC-CCW-OWOW@EPA

Required:

James Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Lester

Yuan/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Steve Whitlock/DC/USEPA/US@EPA

Ruth Chemerys/DC/USEPA/US@EPA Optional:

Description

call in

Tillamook is reserved.

This time seems to work for the most folks, though it doesn't work for everyone.

Background:

Please review the 8/1/12 email "7/24 Meeting Follow Up" I fwded from the Tribe.



aug_6_draft_schedule_for_visit_prep.docx (from 7/12/12)



jun_27_2012_legal_tech_questions.docx



Draft calendar of dates for Jul 24 follow-up Sarah Furtak to: Ruth Chemerys

08/02/2012 04:17 PM

Hi Ruth,

I've taken a shot at drafting a schedule for us to discuss in the context of our next HQ informal review team meeting.

If you have any thoughts, please let me know. I can share this with the group at our Tues., Aug. 7 meeting. I understand you may have a conflict for that meeting.

Thanks, Sarah



aug_2_draft_schedule_for_visit_prep.docx



Cancelled: Tentative Hold: HQ-EPA Region 10 follow-up after Kalispel Tribe visit

Tue 08/28/2012 2:00 PM - 3:00 PM

Location: Kenai is reserved (call in

Rooms: 6300D-Kenai/DC-CCW-OW-WEST@EP

A

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don

Required: Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA,

Julie Reichert/DC/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Lester

Optional: Eric Monschein/DC/USEPA/US@EPA

Description

draft deliberative

Objective: Follow-up to Jul 31 meeting to discuss path forward

Kenai is reserved (call in

Agenda to follow under separate cover



Temperature standard in draft TMDL

Thu 08/09/2012 11:00 AM - 11:30 AM

Potomac-- 7301 EPA West is Rooms: 7301-Potomac/DC-CCW-OWOW@EP

reserved Call-in

Required:

Michael Haire/DC/USEPA/US@EPA, Rose Galer/DC/USEPA/US@EPA

Optional:

James Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Lester

Yuan/DC/USEPA/US@EPA, Steve Whitlock/DC/USEPA/US@EPA

Description

Potomac-- 7301 EPA West is reserved

Call-in

Objective: Discuss flexibility of tribe's water quality standards.

Link to draft TMDL:

https://fortress.wa.gov/ecy/publications/summarypages/1010065.html

Kalispel Tribal water quality standards

In addition to Washington State temperature criteria, the Kalispel Tribe also has criteria that apply to

the Pend Oreille River for a section under its jurisdiction. The United States Environmental

Protection Agency approved the Kalispel Tribe's water quality standards on June 24, 2004. The

Kalispel's temperature criteria for the Pend Oreille River are designated to meet the use of adult

salmonid migration and includes:

• The criteria for salmon migration are a 7-day average of the daily maximum (7-DADMax) of

18°C.

1-day maximum (1-DMax) of 20.5°C.

For all designated uses, if natural conditions are above criteria then human influences can raise

water temperatures by no more than 0.3°C.

State of Washington water quality standards

In Washington State the water quality standards are based on the protection of sensitive species and

life-stage conditions [WAC 173-201A-200; 2006 edition]. In the Pend Oreille watershed, there are

three different designated uses:

- Salmonid spawning, rearing and migration
- Char spawning and rearing
- Core summer salmonid habitat

The applicable designated use for the Pend Oreille River is salmonid spawning, rearing, and migration.

The Washington State Attorney General's Office completed a legal interpretation of the temperature

standard for the Pend Oreille River (Appendix F). The Pend Oreille River has special temperature

criteria (WAC173-201A-602) which, in this report, will be referred to as Parts 1 and 2:

Part 1: Temperature shall not exceed a 1-day maximum (1-DMax) of 20°C due to human

activities. When natural conditions exceed a 1-DMax of 20°C, no temperature increase

will be allowed which will raise the receiving water temperature by greater than 0.3°C;

Part 2: Nor shall such temperature increases, at any time, exceed t = 34/(T + 9)

where: *t* = the allowable temperature increase; and

T = the background temperature measured at a point unaffected by the discharges. The Pend

Oreille River is affected by discharges from dams in both Washington and Idaho, so the

modeled natural condition, which represents the unaffected river, is used to define T in this

TMDL.



Accepted: HQ-EPA Region 10 follow-up after Kalispel Tribe visit

Tue 07/31/2012 2:00 PM - 3:00 PM

Location: Potomac is reserved (call in Rooms 7301-Potomac/DC-CCW-OWOW@EPA

Ben Cope has accepted this meeting invitation

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Required: Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James

Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Kim



Accepted: Hold: HQ-R10 follow-up after Kalispel visit

Mon 10/15/2012 1:00 PM - 3:00

PM

7301-Potomac/DC-CCW-OWOW@EPA Rooms:

7301-Potomac/DC-CCW-OWOW has been reserved

Required:

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Kim

Eric Monschein/DC/USEPA/US@EPA, Ruth Chemerys/DC/USEPA/US@EPA Optional:



Re: Rescheduled: Hold: HQ-R10 follow-up after Kalispel visit (Oct 15 01:00 PM

EDT in Kenai is reserved) Sarah Furtak to: Kim Owens

09/19/2012 11:27 AM

Hi Kim.

I secured the videoconference capability for our meeting on Oct. 15. I looked at availability of the room, and anytime after 4:00 pm on Wed., Oct. 10 or Thurs., Oct. 11, the room's free for a test run. Also, it's open all day on Oct. 12. If there's a way for us to schedule a 20 min. dry run one of those days, I'd really appreciate it so we can work out any bugs before the meeting.

Thanks, Sarah

Kim Owens I will check in with our IT folks and see if they ca... 09/18/2012 05:01:13 PM

From: Kim Owens/R10/USEPA/US

To: Sarah Furtak/DC/USEPA/US@EPA

Date: 09/18/2012 05:01 PM

Subject: Re: Rescheduled: Hold: HQ-R10 follow-up after Kalispel visit (Oct 15 01:00 PM EDT in Kenai is

reserved)

I will check in with our IT folks and see if they can do a practice run. It's tough because the rooms are almost always reserved, but I will see what I can do. Also, I've reserved our room starting 30 minutes early to allow for set up. We can probably get you on the phone with our guys and walk you through if need be.

Sarah Furtak Kim-- I'm trying to set up the videoconference ca... 09/18/2012 01:55:43 PM

From: Sarah Furtak/DC/USEPA/US
To: Kim Owens/R10/USEPA/US@EPA

Date: 09/18/2012 01:55 PM

Subject: Re: Rescheduled: Hold: HQ-R10 follow-up after Kalispel visit (Oct 15 01:00 PM EDT in Kenai is

reserved)

Kim--

I'm trying to set up the videoconference capability. Is there a way, because this time I may be on my own to use the equipment in a different room, that I could do a little "dry run" with your videoconference contact prior to Oct. 15?

Sarah

Kim Owens	Thanks for rescheduling. I think we'd benefit fro	09/18/2012 01:46:49 PM
Sarah Furtak	Objective: Per Region 10's request regarding th	09/18/2012 10:44:01 AM



Follow-up with tribe Thu 09/20/2012 10:15 AM - 10:30 AM No Location Information

Required: Optional:

Eric Monschein/DC/USEPA/US@EPA
Ruth Chemerys/DC/USEPA/US@EPA

Description

Per David Croxton's 9/17 request

Staff Draft—Deliberative—9/19/12

Draft email to Deane Osterman, Kalispel Tribe (should this come from Region 10? HQ?)

Deane,

Thanks for your request for an update following Kalispel Tribe's visit to EPA HQ July 24. EPA HQ informal technical review team continues to prepare legal, technical, and policy input for the Region as the Region reviews the State of Washington's Pend Oreille temperature TMDL. At this time we do not have a specific schedule as to when we will come to closure on providing input to the Region. EPA appreciates the Kalispel Tribe's openness to any additional questions EPA may have moving forward.



Update Requested: Hold: HQ-R10 follow-up after Kalispel visit

Mon 10/15/2012 2:30 PM - 4:30

PM

Potomac -- 7301 EPA West Location: Rooms: 7301-Potomac/DC-CCW-OWOW@EPA

Steve Whitlock Update Requested

1 am teleworking from home today. Is there a call in number for this meeting?

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Required:

Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Kim

Eric Monschein/DC/USEPA/US@EPA, John Goodin/DC/USEPA/US@EPA, Ruth Optional:

Chemerys/DC/USEPA/US@EPA

Description		



Re: Update Requested: Hold: HQ-R10 follow-up after Kalispel visit

Sarah Furtak to: Steve Whitlock

10/15/2012 10:14 AM

Hi Steve,

Don Martin has volunteered his call-in number As you know I'm strongly encouraging folks to come to Potomac in person; however, glad you can still participate.

Sarah 202 566 1167

Steve Whitlock Update Requested: Hold: HQ-R10 follow-up afte... 10/15/2012 09:01:18 AM



Update Requested: Hold: HQ-R10 follow-up after Kalispel visit Mon 10/15/2012 2:30 PM - 4:30

PM

Location: Potomac -- 7301 EPA West Rooms: 7301-Potomac/DC-CCW-OWOW@EPA

Steve Update Requested Whitlock

1 am teleworking from home today. Is there a call in number for this meeting?

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don

Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James

Curtin/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Kim

Owens/R10/USEPA/US@EPA, Lester Yuan/DC/USEPA/US@EPA, Michael

Haire/DC/USEPA/US@EPA, Steve Whitlock/DC/USEPA/US@EPA

Optional: Eric Monschein/DC/USEPA/US@EPA, John Goodin/DC/USEPA/US@EPA, Ruth

Chemerys/DC/USEPA/US@EPA

Description

Required:



Re: Information Update - Description has changed: Hold: HQ-R10 follow-up after Kalispel visit

Sarah Furtak to: Lester Yuan

10/15/2012 10:31 AM

Good day Lester,

I will send the slides along once I receive them.

Sarah

Lester Yuan Hi Sarah, I am working at home today, and hav... 10/15/2012 10:27:10 AM

From: Lester Yuan/DC/USEPA/US Sarah Furtak/DC/USEPA/US@EPA To:

Date: 10/15/2012 10:27 AM

Re: Information Update - Description has changed: Hold: HQ-R10 follow-up after Kalispel visit Subject:

Hi Sarah,

I am working at home today, and have another commitment from 2:30 - 3:30. However, I should be able to get on the line at 3:30 and listen to the discussion. Can you possibly have R10 send me the slides?

Thanks,

Lester

Lester Yuan, Ph.D. OW/OST/HECD

1200 Pennsylvania Ave NW | 4304T | Washington, DC 20460 Tel: (202) 566-0908 email: yuan.lester@epa.gov

----Sarah Furtak/DC/USEPA/US wrote: ----

Calendar Entry

Meeting Update Updated information from Sarah Furtak

Description has changed: Hold

Subject

Hold: HQ-R10 follow-up after Kalispel visit

When

Begins: 10/15/2012 02:30 PM Ends: 10/15/2012 04:30 PM

Where

7301-Potomac/DC-CCW-OWOW@EPA Rooms

Location Potomac -- 7301 EPA West

Description / Agenda

Objective: Per Region 10's request regarding the draft Pend Oreille TMDL, hold this 2-hr presentation

window.

This will be a

videoconference, and HQ folks should come to 7301 EPA West (Potomac).

Chair

Sarah Furtak/DC/USEPA/US

Chemerys/DC/USEPA/US@EPA

Invitees

To (required): Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Jim Keating/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Lester Yuan/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Steve Whitlock/DC/USEPA/US@EPA
cc (optional): Eric Monschein/DC/USEPA/US@EPA, John

Goodin/DC/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Ruth

Conference # provided by R10 :



Agenda and materials for HQ-R10 call today (2:30 to 4:30 pm Eastern)

Ben Cope, David Croxton, Don Martin, Helen Sarah Furtak to: Rueda, James Curtin, Jim Keating, Julie

Rueda, James Curtin, Jim Keating, Julie 10/15/2012 11:49 AM Reichert, Kim Owens, Lester Yuan, Michael

Cc: Eric Monschein, John Goodin, Kelly Gable, Ruth Chemerys

Draft - deliberative

HQ-R10 follow-up after Kalispel visit today, Oct. 15 (2:30 - 4:30 pm Eastern time) HQ folks should come to Potomac Conference Room videoconference (7301 EPA West)

Draft Agenda -- (Eastern Time)

2:30 - 2:45 Introductions & Update on HQ Deliberations 2:45 - 4:15 R10 presentation on Pend Oreille TMDL and Kalispel Tribe Issues - clarifying questions only 4:15 - 4:30 Q & A

The Q & A period is pretty limited. We may need a second meeting if it is insufficient to address the questions.

P.S. --

Conference # provided by R10:

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167

----- Forwarded by Sarah Furtak/DC/USEPA/US on 10/15/2012 11:40 AM -----

From: Helen Rueda/R10/USEPA/US
To: Sarah Furtak/DC/USEPA/US@EPA

Cc: Ben Cope/R10/USEPA/US@ĒPA, Don Martin/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Kelly

Gable/R3/USEPA/US@EPA

Date: 10/15/2012 11:32 AM
Subject: Pend Oreille Presentaion



Pend Oreille River Temperature final.pptx



Required:

Optional:

Hold: HQ-R10 follow-up after Kalispel visit

Mon 10/15/2012 2:30 PM - 4:30

PM

Location: Potomac -- 7301 EPA West Rooms: 7301-Potomac/DC-CCW-OWOW@EPA

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don

Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA,

Jim Keating/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Kim Eric Monschein/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, John

Goodin/DC/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Ruth Chemerys/DC/USEPA/US@EPA

Description

Objective: Per Region 10's request regarding the draft Pend Oreille TMDL, hold this 2-hr presentation window.

This will be a videoconference, and HQ folks should come to 7301 EPA West (Potomac).

Conference # provided by R10:



Agenda and materials for HQ-R10 call today (2:30 to 4:30 pm Eastern)

Sarah Furtak to: Gary Russo

10/15/2012 01:41 PM

Draft - deliberative

HQ-R10 follow-up after Kalispel visit today, Oct. 15 (2:30 - 4:30 pm Eastern time)
HQ folks should come to Potomac Conference Room videoconference (7301 EPA West)

Draft Agenda -- (Eastern Time)

2:30 - 2:45 Introductions & Update on HQ Deliberations 2:45 - 4:15 R10 presentation on Pend Oreille TMDL and Kalispel Tribe Issues - clarifying questions only 4:15 - 4:30 Q & A

The Q & A period is pretty limited. We may need a second meeting if it is insufficient to address the questions.

P.S. --

Conference # provided by R10:

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167

---- Forwarded by Sarah Furtak/DC/USEPA/US on 10/15/2012 11:40 AM -----

From: Helen Rueda/R10/USEPA/US
To: Sarah Furtak/DC/USEPA/US@EPA

Cc: Ben Cope/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, David

Croxton/R10/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Kelly

Gable/R3/USEPA/US@EPA

Date: 10/15/2012 11:32 AM
Subject: Pend Oreille Presentaion



Pend Oreille River Temperature final.pptx



Optional:

Accepted: Hold: HQ-R10 follow-up after Kalispel visit

Mon 10/15/2012 2:30 PM - 4:30

PΜ

Potomac -- 7301 EPA West Rooms: 7301-Potomac/DC-CCW-OWOW@EPA Location:

Gary Russo has accepted this meeting invitation

Required:

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James

Curtin/DC/USEPA/US@EPA, Jim Keating/DC/USEPA/US@EPA, Julie

Eric Monschein/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, John

Goodin/DC/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Ruth

Chemerys/DC/USEPA/US@EPA



Update Requested: Hold: HQ-R10 follow-up after Kalispel visit Mon 10/15/2012 2:30 PM - 4:30

PM

Location: Potomac -- 7301 EPA West Rooms: 7301-Potomac/DC-CCW-OWOW@EPA

Gary Russo Update Requested

6 Sarah, I am going to call into the conference line.

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don Required:

Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James

Curtin/DC/USEPA/US@EPA, Jim Keating/DC/USEPA/US@EPA, Julie

Eric Monschein/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, John Optional:

Goodin/DC/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Ruth

Chemerys/DC/USEPA/US@EPA

Description			



Review: Draft action items from Oct . 15 call Sarah Furtak to: Eric Monschein, Michael Haire

10/16/2012 03:41 PM

Attached please find the draft action items with leads and dates that I heard on the call yesterday. I also worked John's 1-pager notes into this summary.

I suggest we send this along to John once we've reached closure on this summary. I'll await your review!

Thanks,

Sarah x1167



oct_16_2012_draft_action_items.docx



Required:

Optional:

Cancelled: Tentative: HQ-R10 follow-up after Oct. 15 videoconference

Tue 11/20/2012 2:30 PM - 3:30 PM

Location: Potomac-- 7301 EPA West Rooms: 7301-Potomac/DC-CCW-OWOW@EPA

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don

Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA,

Jim Keating/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Kim Eric Monschein/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, John

Goodin/DC/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Ruth Chemerys/DC/USEPA/US@EPA

Description

* Draft - deliberative *

Objective: Follow-up to our Oct. 15 videoconference (re: draft Pend Oreille TMDL for temperature) to cover progress on next steps.

This will be a videoconference, and HQ folks should come to 7301 EPA West (Potomac Conference Room).



Follow-up with Jim Keating on OST review of temp standard and appropriateness of CFA

Tue 10/23/2012 1:00 PM - 1:30 PM

Location: Potomac-- 7301 EPA West Rooms: 7301-Potomac/DC-CCW-OWOW@EP

reserved

Required: Gary Russo/DC/USEPA/US@EPA, Jim Keating/DC/USEPA/US@EPA, Michael

Haire/DC/USEPA/US@EPA

Optional: Eric Monschein/DC/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA

Description

Draft - deliberative

Objective: Discuss the action items we've identified (post Oct. 15 videoconference) and OST's role.

Staff draft deliberative materials attached





oct_22_2012_draft_action_items.docx_oct_15_2012_map_pend_oreille_decision_flow_chart.pptx

10/23/2012 10:13 AM

Hi Jim & Gary,

The link to the draft Pend Oreille TMDL for Temperature is

https://fortress.wa.gov/ecy/publications/summarypages/1010065.html, and TMDL Analysis/ Cumulative Frequency Distribution discussion begins at p. 25.

Look forward to our discussion at 1:00!

Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167

Draft-Deliberative



Re: Fw: Tentative: HQ-R10 follow-up after Oct. 15 videoconference



Sarah Furtak to: James Curtin

10/23/2012 11:16 AM

Jim, would these times work for you if we were to reschedule?

Wed., Nov. 14 -- 2 to 3 pm

Tues., Nov. 20 -- 2:30 to 3:30 pm

Tues., Nov. 27 -- 1 to 2 2 to 3 pm

Sarah

James Curtin Sarah, I'm very sorry, but I will not be able to ma... 10/23/2012 10:51:33 AM

From: James Curtin/DC/USEPA/US To: Sarah Furtak/DC/USEPA/US@EPA

10/23/2012 10:51 AM Date:

Fw: Tentative: HQ-R10 follow-up after Oct. 15 videoconference Subject:

Sarah,

I'm very sorry, but I will not be able to make this meeting. I'm flying back from Florida that day (Tuesday, 11/13) and won't be in the office until Wednesday am.

Jim

James Curtin Office of General Counsel 202.564.5482 Mail Code: 2355A curtin.james@epa.gov

---- Forwarded by James Curtin/DC/USEPA/US on 10/23/2012 10:49 AM -----



Required:

Optional:

Tentative: HQ-R10 follow-up after Oct. 15 videoconference

Tue 11/13/2012 2:00 PM - 3:00 PM

Attendance is for James Curtin

Chair: Sarah Furtak/DC/USEPA/US Ariel Rios North -- room 5530 Location:

Ben Cope/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA, Don

Martin/R10/USEPA/US@EPA, Helen Rueda/R10/USEPA/US@EPA, James

Curtin/DC/USEPA/US@EPA, Jim Keating/DC/USEPA/US@EPA, Julie

Reichert/DC/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Lester

Yuan/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Steve

Whitlock/DC/USEPA/US@EPA

Eric Monschein/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, John

Goodin/DC/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Ruth

Chemerys/DC/USEPA/US@EPA

Description
* Draft - deliberative *
Objective: Follow-up to our Oct. 15 videoconference (re: draft Pend Oreille TMDL for temperature) to cover progress on next steps.
This will be a videoconference, and HQ folks should come to 5530 Ariel Rios North.

Personal Notes



Fw: request response re: WQS issue

Sarah Furtak to: Michael Haire

10/24/2012 02:38 PM

---- Forwarded by Sarah Furtak/DC/USEPA/US on 10/24/2012 02:38 PM -----

 From:
 Sarah Furtak/DC/USEPA/US

 To:
 Gary Russo/DC/USEPA/US@EPA

 Cc:
 Rose Galer/DC/USEPA/US@EPA

Date: 09/06/2012 12:56 PM

Subject: Re: Fw: request response re: WQS issue

Thanks for your help. This is extremely helpful.

Rose-- enjoy your vacation!

Sarah

Gary Russo Sarah, I read the document. It seems like there... 09/06/2012 11:27:12 AM

From: Gary Russo/DC/USEPA/US

 To:
 Sarah Furtak/DC/USEPA/US@EPA

 Cc:
 Rose Galer/DC/USEPA/US@EPA

Date: 09/06/2012 11:27 AM

Subject: Re: Fw: request response re: WQS issue

Sarah,

I read the document. It seems like there was quite a bit of discussion about a variety of issues before I attended the August 16 meeting. Nevertheless, I identified the following two bullets that appeared to be related to that discussion:



I agree with everything in those bullets.

I hope that is helpful.

Gary

Rose Galer From: Rose Galer/DC/USEPA/US To: Sarah Fur... 09/06/2012 10:45:15 AM



Re: Wash. Temperature Assessment Methodology

Sarah Furtak to: Gary Russo

Cc: James Curtin, Jim Keating, Michael Haire

10/24/2012 03:12 PM

Gary,

The direct link to the draft TMDL is at https://fortress.wa.gov/ecy/publications/publications/1010065.pdf. The following are highlights from the document regarding your question:

 Page 7 provides the State of WA WQS applicable to the Pend Oreille River (based upon the applicable designated use of salmonid spawning, rearing, and migration). It reads as follows:

Pend Oreille River and Tributary water temperature criteria In Washington State the water quality standards are based on the protection of sensitive species and

life-stage conditions [WAC 173-201A-200; 2006 edition]. In the Pend Oreille watershed, there are

three different designated uses:

Salmonid spawning, rearing and migration Char spawning and rearing Core summer salmonid habitat

The applicable designated use for the Pend Oreille River is salmonid spawning, rearing, and migration.

The Washington State Attorney General ☐s Office completed a legal interpretation of the temperature

standard for the Pend Oreille River (Appendix F). The Pend Oreille River has special temperature

criteria (WAC173-201A-602) which, in this report, will be referred to as Parts 1 and 2:

Part 1: Temperature shall not exceed a 1-day maximum (1-DMax) of 20°C due to human activities. When natural conditions exceed a 1-DMax of 20°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C;

Part 2: Nor shall such temperature increases, at any time, exceed t = 34/(T + 9) where: t = the allowable temperature increase; and

T = the background temperature measured at a point unaffected by the discharges. The Pend Oreille River is affected by discharges from dams in both Washington and Idaho, so the modeled natural condition, which represents the unaffected river, is used to define *T* in this *TMDL*.

- Also, please note that Appendix F provides The WA Attorney General's legal interpretation of the temperature standard.
- Finally, the June 10, 2011 memo that Mike cited yesterday (from Kalispel Tribe, entitled "Violations of temperature standards in the Pend Oreille River Kalispel Tribe Reservation Boundary") is at the back of the draft TMDL (p. 356).

Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167

Gary Russo The listing methodology states: "A segment will... 10/24/2012 02:32:48 PM

From: Gary Russo/DC/USEPA/US

To: Sarah Furtak/DC/USEPA/US@EPA

Cc: James Curtin/DC/USEPA/US@EPA, Jim Keating/DC/USEPA/US@EPA, Michael

Haire/DC/USEPA/US@EPA

Date: 10/24/2012 02:32 PM

Subject: Re: Wash. Temperature Assessment Methodology

The listing methodology states:

"A segment will be placed in Category 5 for temperature if at least one 7-day average daily maximum value (7-DADMax) from seven consecutive daily sampling events exceeds the criterion."

"Temperature shall not exceed a 1-day maximum (1-DMax) of 20°C due to human activities. When natural conditions exceed a 1-DMax of 20°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C"

Gary

Sarah Furtak Following up to our discussion yesterday, the att... 10/24/2012 01:59:23 PM

11/02/2012 03:39 PM

Please check this out: http://apps.leg.wa.gov/wac/default.aspx?cite=173-201A-200

(c) Aquatic life temperature criteria. Except where noted, water temperature is measured by the 7-day average of the daily maximum temperatures (7-DADMax). Table 200 (1)(c) lists the temperature criteria for each of the aquatic life use categories.

Michael Haire Jim: I think that the use of a 7 day averaging per... 11/02/2012 03:26:57 PM

From: Michael Haire/DC/USEPA/US
To: Jim Keating/DC/USEPA/US@EPA

Cc: Sarah Furtak/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, James

Curtin/DC/USEPA/US@EPA

Date: 11/02/2012 03:26 PM

Subject: Re: follow-up questions: WA TMDL

Jim:



However, the Pend Oreille River has special temperature criteria (WAC173-201A-602) which,has 2 Parts:

Part 1: Temperature shall not exceed a 1-day maximum (1-DMax) of 20°C due to human activities. When natural conditions exceed a 1-DMax of 20°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C;

Part 2: Nor shall such temperature increases, at any time, exceed t = 34/(T + 9) where: t = the allowable temperature increase; and T = the background temperature measured at a point unaffected by the discharges. The Pend



Next steps on Draft R10 TMDL for Temperature

Wed 11/14/2012 8:30 AM - 8:50

AM

Location: John's

Required: John Goodin/DC/USEPA/US@EPA

Optional: Eric Monschein/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA

Description

You're booked-- counter as needed.

Objective: Discuss next steps on the Recommendations from the Informal HQ Review Team (re: draft R10 TMDL for temperature). We've reached closure with OST.

I'll plan to share current draft recommendations of the informal HQ Technical Review Team with you.

Our next call with Region 10 is on Nov. 20-- a one-hour call in follow-up to our Oct. 15 videoconference.

Draft - deliberative

From Helen Rueda, 11/13/12

Hi Sarah

Here is our briefing paper for the call on the 20th. We are assuming that the call will consist of us responding to Headquarter's questions. Please advise us if there are other agenda items that you would like to add. If people reviewing the briefing paper have questions this week I will be around to help answer them. I will be out on vacation next week and not able to respond to questions then (though I will be joining the call on the 20th). If questions come up later than the 16th, either them until the call or contact Ben Cope (206) 553-1442 or Kim Owens (206) 553-6052.



briefing paperPend Oreiile final.docx



Review: Pend Oreille TMDL Briefing Paper

Sarah Furtak to: Steve Whitlock, James Curtin, Julie Reichert, Michael Haire, Lester Yuan

Cc: Jim Keating, Gary Russo, John Goodin, Eric Monschein, Ruth Chemerys

* Draft - deliberative *

Informal HQ Technical Review Team,

Under separate cover, I will plan to convene us briefly tomorrow or Monday (prior to Nov. 20's videoconference).

Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004 Phone: (202) 566-1167

---- Forwarded by Sarah Furtak/DC/USEPA/US on 11/14/2012 11:00 AM -----

From: Helen Rueda/R10/USEPA/US
To: Sarah Furtak/DC/USEPA/US@EPA

Cc: David Croxton/R10/USEPA/US@EPA, Ben Cope/R10/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Kelly

Gable/R3/USEPA/US@EPA

Date: 11/13/2012 06:03 PM

Subject: Pend Oreille TMDL Briefing Paper

Hi Sarah

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11/14/2012 11:29 AM

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briefing paperPend Oreiile final.docx

Helen Rueda, Office of Water, Watershed Unit Region 10 USEPA 805 SW Broadway, Suite 500 Portland, OR 97205

(503) 326-3280 work (503) 326-3399 (FAX)



Review: Pend Oreille TMDL Briefing Paper

Sarah Furtak to: Steve Whitlock, James Curtin, Julie Reichert, Michael Haire, Lester Yuan

Cc: Jim Keating, Gary Russo, John Goodin, Eric Monschein, Ruth Chemerys

11/15/2012 10:42 AM

* Draft - deliberative *

From R10's Dave Croxton 11/14/12:

Helen-

Good work all.

have a few edits and comments in the attached to consider. thanks



briefing paperPend Oreiile final.dcedits.docx

---- Forwarded by Sarah Furtak/DC/USEPA/US on 11/15/2012 10:41 AM -----

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To: Steve Whitlock/DC/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie

Reichert/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Lester

Yuan/DC/USEPA/US@EPA

Cc: Jim Keating/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, John

Goodin/DC/USEPA/US@EPA, Eric Monschein/DC/USEPA/US@EPA, Ruth

Chemerys/DC/USEPA/US@EPA

Date: 11/14/2012 11:29 AM

Subject: Review: Pend Oreille TMDL Briefing Paper

* Draft - deliberative *

Informal HQ Technical Review Team,



Under separate cover, I will plan to convene us briefly tomorrow or Monday (prior to Nov. 20's videoconference).

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Owens/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Kelly

Gable/R3/USEPA/US@EPA

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[attachment "briefing paperPend Oreiile final.docx" deleted by Sarah Furtak/DC/USEPA/US]

Helen Rueda, Office of Water, Watershed Unit Region 10 USEPA 805 SW Broadway, Suite 500 Portland, OR 97205

(503) 326-3280 work (503) 326-3399 (FAX)



Request to reschedule 11/20 videoconference



Sarah Furtak to: David Croxton

Cc: Helen Rueda, Ben Cope, Don Martin, Kelly Gable, Kim Owens

11/15/2012 12:56 PM

Hi Dave, Helen, et al,

Thank you for providing the briefing paper. I've shared the information with the Informal HQ Technical Review Team, and based on what I heard from checking in with the team, we'd like to have more time to review the paper together. Thus, I'd like to recommend that we reschedule the videoconference.

The first date below looks best. How is Region 10's availability for these?

1st Recommendation: Wed., Dec. 5 -- 1-2 pm Eastern 2-3 pm Eastern

Thurs. Dec. 6 -- 1-2 pm Eastern Tues., Dec. 11 -- 1-2 pm Eastern Wed., Dec. 12 -- 1-2 pm Eastern

Thanks, and please let me know if you have questions.

Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004

Phone: (202) 566-1167

David Croxton Helen- Good work all. I do not feel confident pre... 11/14/2012 03:24:16 PM

From: David Croxton/R10/USEPA/US To: Helen Rueda/R10/USEPA/US@EPA

Ben Cope/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Kelly Cc: Gable/R3/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Sarah

Furtak/DC/USEPA/US@EPA

11/14/2012 03:24 PM Date:

Re: Pend Oreille TMDL Briefing Paper Subject:

Helen-

Good work all.

have a few edits and comments in the attached to consider. thanks

[attachment "briefing paperPend Oreiile final.dcedits.docx" deleted by Sarah Furtak/DC/USEPA/US]



FYI: Clarification on Pend Oreille TMDL Briefing Paper

Steve Whitlock, James Curtin, Julie Reichert, Sarah Furtak Michael Haire, Lester Yuan

Jim Keating, Gary Russo, John Goodin, Eric Monschein, Ruth Chemerys

The email I sent earlier today created some confusion.

To clarify, the email and attachment immediately below is from Dave Croxton (Region 10) to Helen Rueda (Region 10). Dave provides Helen additional comments on the briefing paper I sent to you -- the Informal HQ Review Team -- on November 14. David Croxton is a Manager of the "Watershed Unit" in Region 10.

11/15/2012 03:27 PM

---- Forwarded by Sarah Furtak/DC/USEPA/US on 11/15/2012 03:17 PM -----

From: Sarah Furtak/DC/USEPA/US

Steve Whitlock/DC/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Julie To:

Reichert/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Lester

Yuan/DC/USEPA/US@EPA

Jim Keating/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, John Cc:

Goodin/DC/USEPA/US@EPA, Eric Monschein/DC/USEPA/US@EPA, Ruth

Chemerys/DC/USEPA/US@EPA

11/15/2012 10:42 AM Date:

Review: Pend Oreille TMDL Briefing Paper Subject:

* Draft - deliberative *

Email From R10's Dave Croxton 11/14/12:



Re: Pend Oreille TMDL Briefing Paper



David Croxton to: Helen Rueda 11/14/2012 03:24 PM

Cc: Ben Cope, Don Martin, Kelly Gable, Kim Owens, Sarah Furtak

Helen-

Good work all.

have a few edits and comments in the attached to consider. thanks



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Cc: Jim Keating/DC/USEPA/US@EPA, Gary Russo/DC/USEPA/US@EPA, John

Goodin/DC/USEPA/US@EPA, Eric Monschein/DC/USEPA/US@EPA, Ruth

Chemerys/DC/USEPA/US@EPA

Date: 11/14/2012 11:29 AM

Subject: Review: Pend Oreille TMDL Briefing Paper

* Draft - deliberative *

Informal HQ Technical Review Team,



Under separate cover, I will plan to convene us briefly tomorrow or Monday (prior to Nov. 20's videoconference).

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Gable/R3/USEPA/US@EPA

Gable/R3/USEPA/US@E

Date: 11/13/2012 06:03 PM

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[attachment "briefing paperPend Oreiile final.docx" deleted by Sarah Furtak/DC/USEPA/US]

Helen Rueda, Office of Water, Watershed Unit Region 10 USEPA 805 SW Broadway, Suite 500 Portland, OR 97205

(503) 326-3280 work (503) 326-3399 (FAX)



Fw: Request to reschedule 11/20 videoconference

Sarah Furtak to: David Croxton

Cc: Helen Rueda, Ben Cope, Don Martin, Kelly Gable, Kim Owens

11/15/2012 04:24 PM

Adding a couple more dates to the list to accommodate Region 10:

Tues., Dec. 18 or 19 -- 2:30 to 3:30 pm Eastern

How's Region 10's availability for these dates/times?

Sarah

----- Forwarded by Sarah Furtak/DC/USEPA/US on 11/15/2012 04:20 PM -----

Sarah Furtak/DC/USEPA/US From:

David Croxton/R10/USEPA/US@EPA To:

Helen Rueda/R10/USEPA/US@EPA, Ben Cope/R10/USEPA/US@EPA, Don Cc:

Martin/R10/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Kim

Owens/R10/USEPA/US@EPA

11/15/2012 12:56 PM Date:

Reguest to reschedule 11/20 videoconference Subject:

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1st Recommendation: Wed., Dec. 5 -- 1-2 pm Eastern 2-3 pm Eastern

Thurs. Dec. 6 -- 1-2 pm Eastern Tues., Dec. 11 -- 1-2 pm Eastern Wed., Dec. 12 -- 1-2 pm Eastern

Thanks, and please let me know if you have questions.

Sarah

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004

Phone: (202) 566-1167

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Ben Cope/R10/USEPA/US@EPA, Don Martin/R10/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA, Kim Owens/R10/USEPA/US@EPA, Sarah Cc:

Furtak/DC/USEPA/US@EPA

11/14/2012 03:24 PM Date:

Subject: Re: Pend Oreille TMDL Briefing Paper

Helen-

Good work all.

have a few edits and comments in the attached to consider. thanks

[attachment "briefing paperPend Oreiile final.dcedits.docx" deleted by Sarah Furtak/DC/USEPA/US]



Required:

Informal HQ Technical Review Team

Tue 11/20/2012 2:15 PM - 3:15 PM

_ocation: Potomac 7301 EPA West is Rooms: 7301-Potomac/DC-CCW-OWOW@EP

reserved

Gary Russo/DC/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Jim

Keating/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Lester Yuan/DC/USEPA/US@EPA,

A

Michael Haire/DC/USEPA/US@EPA, Steve Whitlock/DC/USEPA/US@EPA

Optional: Ruth Chemerys/DC/USEPA/US@EPA

FYI:

Description

* Draft - Deliberative *

Potomac-- 7301 EPA West is reserved.

Objective: Follow-up to our Nov. 15 discussion; review R10 briefing paper (attached). Come to a HQ consensus on how to move forward with advising Region 10 on what they should do with the PO Temp TMDL.



briefing paperPend Oreiile final.dcedits.docx



Cancelled: Informal HQ Technical Review Team (continued from our 11/20 session)

Tue 11/27/2012 9:00 AM - 10:00 AM

Location: Everglades is reserved Rooms: 7343-Everglades/DC-CCW-OWOW@EPA

Gary Russo/DC/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Jim

Keating/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Lester Yuan/DC/USEPA/US@EPA,

Michael Haire/DC/USEPA/US@EPA, Steve Whitlock/DC/USEPA/US@EPA

Optional: Ruth Chemerys/DC/USEPA/US@EPA

FYI:

Description

Required:

* Draft - Deliberative *

I am holding the room longer for those who can stay past 10 (as needed).

Everglades -- 7343 EPA West -- is reserved

Objective: Follow-up to our Nov. 15 discussion; review R10 briefing paper (attached). Come to a HQ consensus on how to move forward with advising Region 10 on what they should do with the PO Temp TMDL.



briefing paperPend Oreiile final.dcedits.docx



Fw: Action: agenda for tomorrow's Informal HQ Review Team mtg

Sarah Furtak to:

11/20/2012 09:53 AM

---- Forwarded by Sarah Furtak/DC/USEPA/US on 11/20/2012 09:53 AM -----

From: Sarah Furtak/DC/USEPA/US

To: Gary Russo/DC/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Jim

Keating/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Lester Yuan/DC/USEPA/US@EPA, Michael Haire/DC/USEPA/US@EPA, Steve

Whitlock/DC/USEPA/US@EPA

Cc: Ruth Chemerys/DC/USEPA/US@EPA

Date: 11/19/2012 10:23 AM

Subject: Action: agenda for tomorrow's Informal HQ Review Team mtg

* Draft - Deliberative *

Tomorrow (Nov. 20) our Informal HQ Technical Review Team will meet from 2:30 to 3:30 pm. The objective will be to come to a HQ consensus on how to move forward with advising Region 10 on what they should do with the PO Temp TMDL.

Please provide me comments on this draft agenda for tomorrow's Informal HQ Technical Review Team meeting by 11 a.m. tomorrow, Nov. 20.

- Keating - ALL - 5 minutes:

Washington's site specific criteria for the Pend Oreille River (WAC 173-201A-602):

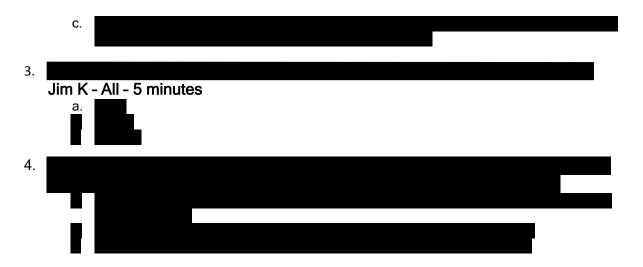
Temperature shall not exceed a 1-day maximum (1-DMax) of 20°C due to human activities. When natural conditions exceed a 1-DMax of 20°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C

Kalispel Tribe criteria for waters of the Pend Oreille River (12(b)(1)):

Temperature shall not exceed 18°C as a moving 7-day average of the daily maximum temperatures with no single daily maximum temperature greater than 20.5°C. When natural background conditions prevent the attainment of the numeric temperature criteria, human-caused conditions and activities considered cumulatively can increase temperature levels by only an additional 0.3°C.

Mike - ALL - 10 minutes

a.



 The State has included evaluation of the impacts of the reservoirs, operation of the reservoirs, and other human activities such as point sources and non-point sources on the temperature of the Pend Oreille River with respect to the WQS of Washington State and the Kalispel Tribe.



According to the tribe's presentation Jul 24, "The Department of Ecology's cumulate frequency analysis is:

Unlawful under Kalispel and State Water Quality Standards Statistically indefensible..."

Also, "EPA exerts itself as a trustee to ensure compliance with Kalispel water quality

standards..."

"Ecology's Cumulative Frequency Analysis ("CFA") ...Resulting data provides seasonal impairment information that bears no relationship to State and Kalispel water quality standards"

6. Discussion and conclusion - Sarah Jim C - 15 minutes

Sarah Furtak

U.S. Environmental Protection Agency Office of Wetlands, Oceans, and Watersheds Assessment and Watershed Protection Division Watershed Branch EPA West Building, Room 7330-A 1301 Constitution Avenue, NW Washington, DC 20004

Phone: (202) 566-1167



John's Office Hours: Speaking roles for Dec. 6 videoconference

Tue 12/04/2012 9:00 AM - 9:30 AM

Location: John's

Required:

Michael Haire/DC/USEPA/US@EPA

Description

Draft Deliberative

Draft Agenda

- 1. HQ provides input on draft Pend Oreille TMDL for Temperature

 A. Technical and legal recommendations and rationale -- Sarah (Lead) & Informal HQ Technical Review Team, ~10 min.
- B. Next steps Options -- Sarah (Lead) & Informal HQ Technical Review Team, ~ 10 min.
- 2. Discussion, Q&A -- All, ~30 min.
- 3. Next Steps, Other, Adjourn -- Sarah, John ~ 5 min.



Required:

Informal HQ Technical Review Team Meeting

Tue 12/04/2012 3:00 PM - 3:30 PM

Location

call-in

Rooms: 6300D-Kenai/DC-CCW-OW-WEST@EPA

Kenai 6300-D is reserved

Gary Russo/DC/USEPA/US@EPA, James Curtin/DC/USEPA/US@EPA, Jim

Keating/DC/USEPA/US@EPA, Julie Reichert/DC/USEPA/US@EPA, Lester Yuan/DC/USEPA/US@EPA,

Michael Haire/DC/USEPA/US@EPA, Steve Whitlock/DC/USEPA/US@EPA

Optional: Ruth Chemerys/DC/USEPA/US@EPA

FYI:

Description

Draft - deliberative

call-in

Kenai 6300-D is reserved

Objective: Informal HQ Technical Review Team quick (30 min) touch base prior to the Dec. 6 videoconference.

This is a opportunity to discuss speaking roles, so we are all on the same script going into the videoconference.

FYI, Attached are materials for our 3:00 call today:

The most updated "general response" (to the Region 10 briefing paper) material which I will provide to our Region 10 counterparts today.

W

dec_3_2012_response_to_r10_briefing_paper.docx

Draft agenda for Dec. 6 videoconference and talking points



draft_deliberative_dec_4_2012_tps.docx